* ZONING COMMISSIONER

* OF BALTIMORE COUNTY 11th Election District 5th Councilmanic District * Case No. 91-151-A

William B. Bokel, Jr., et ux Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

* * * * * * * * * * *

The Petitioners herein request a zoning variance from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 5 ft. in lieu of the required 10 ft. as prescribed, and to amend the last Amended Development Plan of Section 1 of Hallfield Manor, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners filed a Petition for a Residential Variance but, upon review of the documents submitted, the Zoning Commissioner requested that a hearing be held on this matter taking place on January 8, 1991 at 9:30

The Petitioner, William B. Bokel, Jr., appeared and testified. There were no Protestants.

Testimony indicated that the subject property, known as 4318 Hallfield Manor Drive, consists of .14 acres +/-, zoned D.R.5.5 and is currently improved with a two story single family dwelling, as indicated on Petitioners' Exhibit No. 1.

The Petitioner testified that he is desirous of constructing a 15 x 18 ft. family room on the side of his home. He testified that his growing

family needs the additional space and that, due to the layout of his property, the proposed location is the only place reasonably suited for said addution. The Petitioner further testified that the addition will be a single story and that the roof line and pitch will be in line with the existing dwelling.

Mr. G. Joseph Schafer, Patitioner's adjoining neighbor, forwarded correspondence to the Zoning Office prior to the hearing indicating his support of the Petitioner's proposal.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Coming Commissioner the refref requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.k. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Fursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 3. day of Acari, 1991 that the Petition for a Soning | Variance from Section IBQ2.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 5 ft. in lieu of the required 10 ft. as prescribed and to amend the last Amended Development Plan of Section 1 of Hallfield Manor, in accordance with Petitioners'

- Exhapsin No. 1, is hereby GRANTEL, subject, however, to the footewing reparietiens which are abaditious presentant the resist granted moreint.

> . The Poplitichers are bandy made aware from opposeding an incamine la mi incin awn nosk until with time we the 10 day appoilate precess. In putals under his expirate of, for whatever - asen, orig Order is reversed, the Patitioners would be required to not mi, and be responsible. for centraling, said property to the emiglical

11. The Petit Comers and Common with James to a Sabject addition to be extrepted to a second olwelling abit in the exemtment.

3. Apon request and resconsole notice, the Setitioners shall permit a representative of the Maning Enforcement Elvisian to make an inspection of the subsect preparty to insure combinates with this Order.

> mand Commassioner for Baltimore County

.'BH comm cc: Reopies Counsei

RECEIVED FOR 1

Zoning Commissioner Office of Planning and Zoning

Baltimore County Government

111 West Chesapeake Avenue Towson, MD 21204

887-3353

January 18, 1991

Mr. and Mrs. William Bokel, Jr. 4318 Hallfield Manor Drive Baltimore, Maryland 21236

RE: Petition for Zoning Variance Case No. 91-151-A

Dear Mr. and Mrs. Bokel:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Zoning Commissioner

cc: Peoples Counsel

JRH:mmn

PETITION FOR RESIDENTIAL VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

the description and plat attached hereto and made a part hereof, petition for a Variance from Section

1802.3.C.1 to permit a side yard setback of 5 feet in lieu of the required 10 feet as precribed and to amend the last Amended Development Plan of

Section 1 Hallfield Manor.

of the Zening Regulations of Baltimore County, to the Zening Law of Baltimore County, for the following reason: (indicate hardship or practical difficulty) RACTICAL DIFFICULTY

]. The location of the main building within the land tract with present improvements allows only for side construction of additional living space.

2. Decreasing set-back as petitioned would be necessary to satisfy require-

ments for fireplace chimney installation. 3. Access to property and easement would not be infringed by granting

Property is to be advertised and/or posted as prescribed by Zoning Regulations. I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this potition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal cuner(s) of the property which is the subject of MAP NE96 this Petition. Legal Owner(s); William B. Bokel, Jr.

AFFIDAVIT

in support of residential zoning variance — 91-151-A

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of

Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with

That the Affiant(s) does/do presently or upon settlement will reside at ___ 4316 Hallfield Manor Drive Beltimore County, Maryland 21236

That based upon personal knowledge, the following are the facts upon which I/we base the request for for a Residential Zoning Variance at the above address: (indicate hardship or practical difficulty) PRACTICAL DIFFICULTY in that:]. The location of main building within land tract with present improvements allows only for side construction of additional living space. 2. Decreasing set-back as petitioned would be necessary to satify requirements for fireplace chimney installation.

3. Access to the property would not be infringed by granting petition with diminished set-back and easement area would remain accessible and unaffected.

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

William B. Bake William B. Bokel, Jr.

Sandra Gail Bokel AFFIANT (Printed Name)

eath in due fear of law that the matters and fauts hereinabove set forth are true and correct to the best of his/her/their knowledge and balief.

William B. Bokel, Jr. Sandra Gail Bokel 4318 Hallfield Manor Drive Baltimore County, Maryland 21236



ZONING DESCRIPTION

Beginning at a point on the north side of Hallfield Manor Drive which is sixty feet wide at the distance of 178.66 feet measured easterly along the north side thereof from the east side of Hallfield Court. Being known and Cosignated as Lot No. 41, Block "C", as shown on the Plat entitled, "Final Plan, Section One, Hallfield Manor", which plat is recorded among the Land Records of Baltimore County in Plat Book O.T.G. No. 35, Folio 83. The improvements thereon being known as No. 4318 Hallfield Manor Drive, containing 6519.39 square feet of land more or less and located in the Eleventh Flection District.

> Description to accompany petition for a side yard variance of five feet in lieu of the required ten feet.

Baltimore County Zaning Commisioner County Office Ruilding 11 West Chesopeake Avenue axon, Mariland 21204

Account. Reduinging

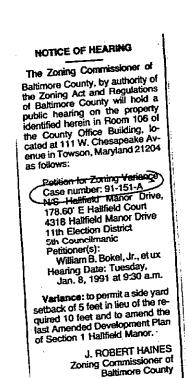
明真重新 经经验销售 直运阀

Playee make therks payable to. Baltimore County

Cashier Validation

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

District		Date of Posting
Posted for:	<u> </u>	
Petitioner:		
Location of property		
	Marie Property	
,		care wir sylver 16 1 10
_	•	1.5.
Remarks:		



NO NOTICE OF HEARING The Zoning Commissioner of

Battimor Battimore County, by authority of the Zori the Zoning Act and Regulations of Batti of Battimore County will hold a public public hearing on the property identified herein in Room 106 of

Petition for Zoning Variance
Case number: 91-151-A
N/S Helifield Manor Drive

178.60' E Halfield Court
4318 Halfield Manor Drive
11th Election District
5th Councilmanic

Petitioner(s): William B. Bokel, Jr., et ux

Variance: to permit a side yard

J. ROBERT HAINES Zoning Commissioner of Baltimore County

quired 10 feet and to amend the

N/J/12/ N/J/12/113 Dec. 13.

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of _____ successive weeks, the first publication appearing on $\frac{12-1319}{20}$

THE JEFFERSONIAN,



THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER, weekly newspapers published in Baltimore County, Md.,

> NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines

November 7, 1990

Mr. & Mrs. William B. Bokel, Jr. 4318 Hallfield Manor Drive Baltimore, MD 21236

RE: Item No. 156, Case No. 91-151-A Petitioner: William B. Bokel, et ux Petition for Residental Variance

Dear Mr. & Mrs. Bokel:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Zoning Plans Advisory Committee

Enclosures

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines

DATE: 12-26-90

Mr. & Mrs. William B. Bokel, Jr 4318 Hallfield Manor Drive Baltimore, Maryland 21236

Petition for Zoning Variance Case Number: 91-151-A N/S Hallfield Manor Drive, 178.60' E Hallfield Court 4318 Hallfield Manor Drive 11th Election District - 5th Councilmanic Petitioner(s): William B. Bokel, Jr., et ux

Dear Petitioner(s):

Please be advised that \$ 145.70 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, Ill W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

ZONING COMMISSIONER BALTIMORE COUNTY, MARYLAND

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines Zoning Commissioner

Dennis F. Rasmussen County Executive

Your petition has been received and accepted for filing this 11th day of October, 1990.

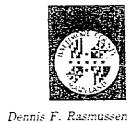
> J. ROBERT HAINES ZONING COMMISSIONER

Zoning Plans Advisory Committee

Petitioner: William B. Bokel, et ux Petitioner's Attorney:

- Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 1301) 887-3353 J. Robert Haines

Zonne Commissioner



November 27, 1990

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Zoning Variance Case Number: 91-151-A N/S Hallfield Manor Drive, 178.60' E Hallfield Court 4318 Hallfield Manor Drive 11th Election District - 5th Councilmanic Petitioner(s): William B. Bokel, Jr., et ux HEARING: TUESDAY, JANUARY 8, 1991 at 9:30 a.m.

Variance to permit a side yard setback of 5 feet in lieu of the required 10 feet and to amend the last Amended Development Plan of Section 1 Hallfield Manor.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

The Petitioner requests a Variance to permit a side yard setback

of 5 ft. in lieu of the required 10 ft. as prescribed to amend the

In reference to the Petitioner's request, staff offers no

provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

If there should be any further questions or if this office can

last Amended Development Plan of Section One, Hallfield Manor.

J. Robert Haines

comments.

PK/JL/cmm

ITEM156/ZAC1

Zoning Commissioner

Pat Keller, Deputy Director

SUBJECT: William B. Bokel, Jr., Item No. 156

Office of Planning and Zoning

DATE: October 22, 1990

Zoning Commissioner of

cc: William B. Bokel, Jr.

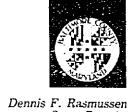
Baltimore County

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines

Zening Commissioner

October 19, 1990

Mr. & Mrs. William B. Bokel, Jr. 4318 Hallfield Manor Drive Baltimore, Maryland 21236



Re: CASE NUMBER: 91-151-A LOCATION: 4318 Hallfield Manor Drive

Dear Petitioner(s):

Please be advised that your Petition for Residential Zoning Variance has been assigned the above case number. Any contact made to this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before October 31, 1990. The last date (closing date) on which a neighbor may file a formal request for hearing is November 15, 1990. Should such request be filed, you will receive notification that the matter will not be handled through the administrative process. This will mean advertising of the public hearing and reposting of the property. The public hearing will be scheduled approximately 30 - 45 days from receipt of said notice. In either case, (a) receipt of notification that you will have a public hearing or, (b) the passing of the closing date, the sign and post can then be removed from the property and returned to this office. Failure to return the sign and post will cause your Order to be held and incur a \$50.00 charge. Please be advised that the Order will not be available for you to pick-up the day you return the sigm.

Assuming no neighbor has requested a public hearing, the file now enters the final review stage of the administrative process. The Zoning Commissioner must now decide whether to grant or deny the request. He also has the option to request a public hearing.

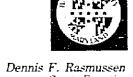
> 3) PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

> > V-ry truly yours, G. G. Stepl∈is (301) 887-3391

Baltimore County Fire Department 700 East Joppa Road, Suite 901 Towson, Maryland 21204-5500 (301) 887-4500 Paul H. Reincke

OCTOBER 25, 1990

J. Robert Haines Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204



WILLIAM B. BOKEL, JR. RE: Property Owner: #4318 HALLFIELD MANOR DRIVE Location:

Zoning Agenda: OCTOBER 30, 1990 Item No.: 156

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shallcomply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy. CHAPTER 22

REVIEWER: Catt) Self Kelly 10-3:-90 Approved (Planging/Group Special Inspection Division

JK/KEK

received

BALTIMORE COUNTY. MARYLAND INTER-OFFICE CORRESPONDENCE OCTOBER 30, 1990

received

J. ROBERT HAINES, ZONING COMMISSIONER, DEPARTMENT ZONING CHARLES E. BURNHAM, PLANS REVIEW CHIEF, DEPARTMENT OF PERMITS & LICENSES 698

ZONING ITEM #: 156 PROPERTY OWNER: William B. Bokel Jr., et ux SUBJECT:

LOCATION: N/S Hallfield Manor Drive, 178.60' E Hallfield Ct (#4318 Hallfield Manor Dr) ELECTION DISTRICT: 11th COUNCILMANIC DISTRICT: 5th

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

() PROPOSED SITE PLAN DOES, DOES NOT. COMPLY TO STATE CODE OF MARYLAND REGULATION 05.01.07, MARYLAND BUILDING CODE FOR THE HANDICAPPED.

() PARKING LOCATION () NUMBER PARKING SPACES () BUILDING ACCESS

() RAMPS (degree slope) () CURB CUTS () SIGNAGE

Tuble 466 3

PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE

SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT

BALTIMORE COUNTY BUILDING CODE. BUILDINGS, COME THE PROPERTY OF THE COUNTY BUILDING CODE. BUILDING WITH A PROPERTY OF THE COUNTY OF SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE

() A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE REQUIRED. TO COMPLY TO NEW USE REQUIREMENTS.

() STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 516.0 COUNCIL BILL #158-88 (BALTIMORE COUNTY BUILDING CODE).

() OTHER -

PERMITS MAY BE APPLIED FOR @ ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN, A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE

APPLICABLE CODE: 1987 NATIONAL BUILDING CODES AS ADOPTED BY COUNCIL BILL #158-88.

BALTIMORE COUNTY, MARYLAND

TO: Zoning Advisory Committee DATE: October 26, 1990

INTEROFFICE CORRESPONDENCE

FROM: Robert W. Bowling, P.E. RE: Zoning Advisory Committee Meeting

for October 30, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 154, 156. and 158.

Items 153, 157 and 160 are subject to the previous County Review Group comments.

For Item 155, the south side lot line is 135.12 feet instead of 159.18 feet as chown.

> ROPERT W. POWLING, F.E., Chief Developer: Engineering Division

William B. Bokel, Jr. 4318 Hallfield Manor Drive Baltimore, Maryland 21236

November 20, 1990

Baltimore County Zoning Office of Planning & Zoning Towson, Maryland 21204

> RE: Case No. 91-151-A, Residential Variance Petitioner: William B. Bokel, Jr., et ux

In response to comments submitted from members of the Advisory Committee, the proposed new construction would be built under the guidlines of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition. Such guidlines will be incorporated into construction plans.

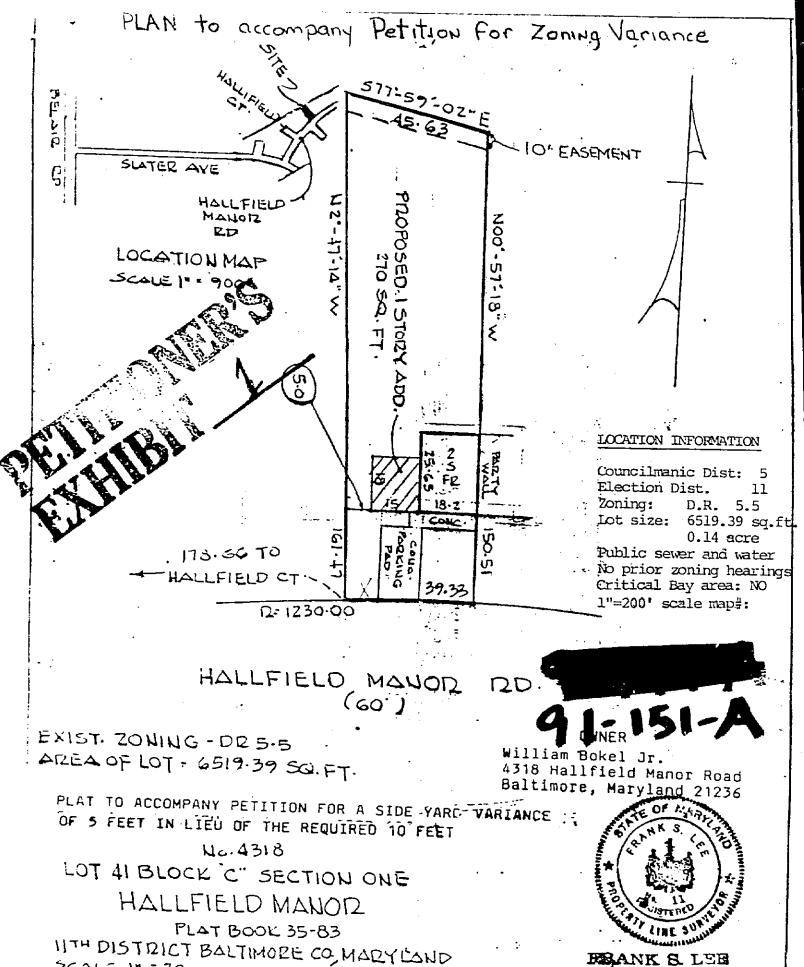
The new construction will adhere to exterior fire seperation guidlines in that the interior lotline wall will have no openings such as windows, doors, etc. and the fire rating will comply with any and all standards as dictated by the Baltimore County Building Code. Interior finished walls will be constructed of 5/8" sheetrock for maximum fire protection.

At the present time, no formal building plans have been drawn but if required a complete construction plan will be submitted prior to a permit to build being

If you have any additional comments or concerns regarding my request for variance, please contact me at 256-3794.

> Sincerely, LOSS CONTRACTOR William B. Bokel, Jr.

ZONING OFFICE



FRANK S. LEB

1277 NEIGHBORS AVE BALTIMONO, 1:0, 21237

Mr. G. Joseph Schaefer 4316 Hallfield Manor Dr. Baltimore, Maryland 21236

Development Control Baltimore County Zoning Office 111 West Chesapeake Avenue

91-151-A Towson, Maryland 21204

RE: Petition for Zoning Variance of William B. Bokel, Jr.

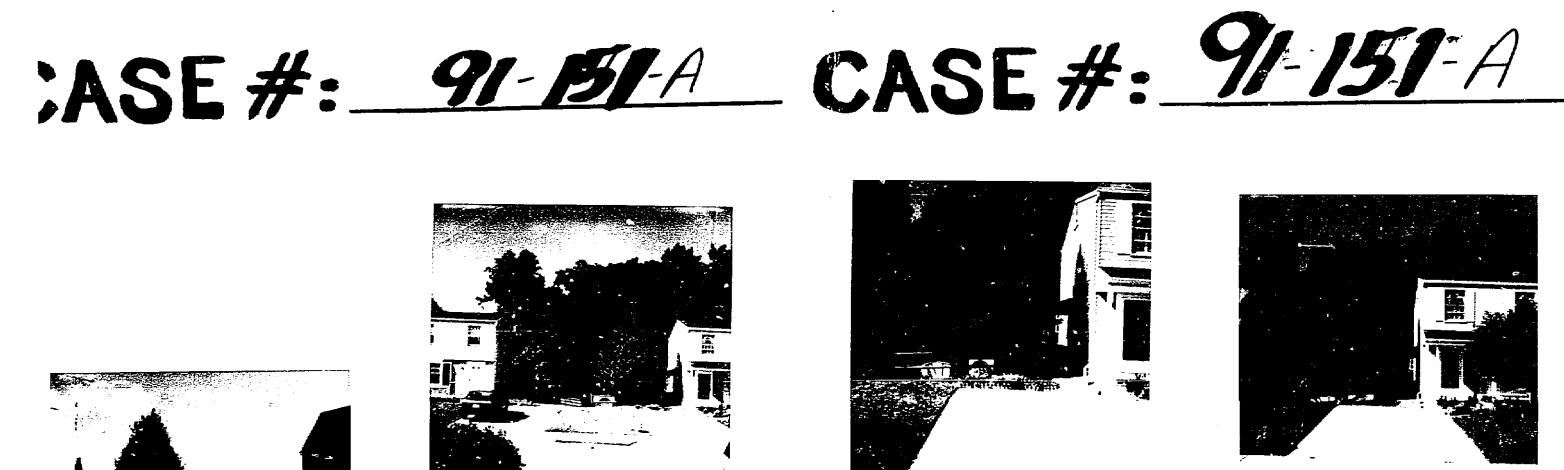
In the matter of a side set-back variance as petitioned by my neighbor, William B. Bokel, Jr., I have been informed of his intentions regarding the dimensions and extent of a proposed addition to his residence as well as the need to build beyond the statatory guidlines. Being the neighboring property owner adjacent to this proposed addition and thus affected by any set-back change, I have been informed of the petitioned set-back change which would reduce the required set-back to five feet from the mandated ten feet. I do not object to such a reduction as petitioned by my neighbor. I feel that the intent of the zoning laws concerning public safety and welfare would not be infringed by granting the petition in this situation.



North view showing site on the east and adjacent structure on west



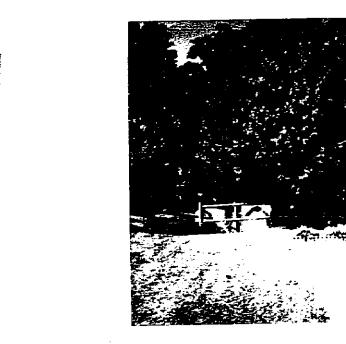
North view showing site of



North view showing present structure and variance site



South view showing site of variance petition

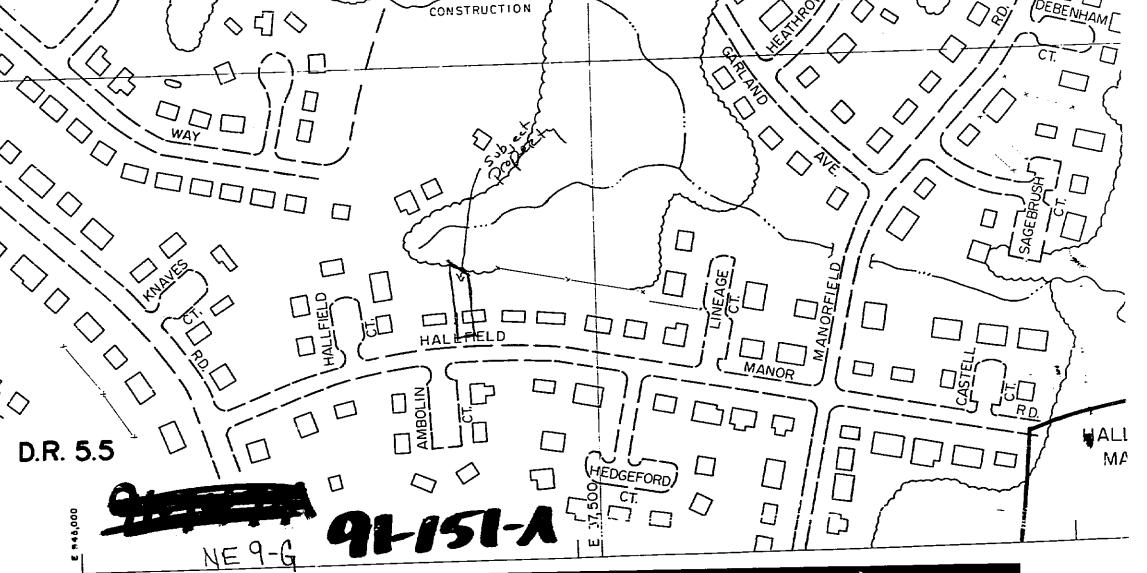


North view showing west face of



PETITIONER'S EXHIBIT #3

PETITIONER'S EXHIBIT #4



South view showing site on the east and adjacent property G. Joseph Schaefer

Petitioner's Ephibit 2

